## Case 1:19-cv-02322-CM Document 24 Filed 07/22/19 Page 1 of 2

Case 1:19-cv-02322-CM Document 23 Filed 07/19/19 Page 1 of 2



NEW YORK | PENNSYLVANIA | NEW JERSEY | CALIFORNIA July 19, 2019

## VIA CM/ECF

Honorable Judge Colleen McMahon United States District Court Southern District of New York 500 Pearl St. New York, NY 10007-1312

OK. First Amended Complaint due 8/12/19. Def.'s motion to dismiss by 9/12/19. Response due 10/28/19.

Re: Skylar Cunningham v. Pret A Manger (USA) Limited doe 10/14/19.
Case No: 1:19-0v-02322 CM

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Dear Judge McMahon:

We represent plaintiff Skylar Cunningham in the above-captioned matter. Pursuant to S.D.N.Y. Local Rule 7.1 (d) and Paragraph I(D) of Your Honor's Individual Practices and Procedures, the parties write jointly to request an extension of Plaintiff's time to amend the first Amended Complaint from July 29, 2019 to August 12, 2019.

Defendant filed a motion to dismiss the case for lack of jurisdiction and failure to state a claim on July 8, 2019. Additionally, the parties request that the Court set the following briefing schedule for Defendant's motion to dismiss the proposed Second Amended Complaint: Defendant will make its motion to dismiss on or before September 12, 2019; Plaintiff's opposition will be due on or before October 14, 2019; Defendant's reply, if any, will be due on or before October 28, 2019.

In light of the foregoing, the parties also request that the Court postpone the Initial Pretrial Conference until after Defendant's motion to dismiss the Second Amended Complaint has been decided.

This is the first request for an extension of Plaintiff's time to amend the Complaint. The parties previously jointly requested and were granted extensions of Defendant's time to respond to the Amended Complaint from May 8, 2019 to June 8, 2019 and from June 8, 2019 to July 8, 2019.

Counsel for both parties agree to the requested extension, proposed briefing schedule, and postponement of the Initial Pretrial Conference.

## Case 1:19-cv-02322-CM Document 24 Filed 07/22/19 Page 2 of 2

Case 1:19-cv-02322-CM Document 23 Filed 07/19/19 Page 2 of 2

Thank you for your consideration in this matter.

Respectfully Submitted;

THE SULTZER LAW GROUP P.C.

Jason Sultzer

cc: Counsel of Record via ECF